

## What is VA's Duty To Assist You in Obtaining Evidence For Your Claim?

The Veterans Claims Assistance Act of 2000 states that VA must make reasonable efforts to help you get evidence necessary to support your claim. We will try to help you get such things as medical records, employment records, or records from other Federal agencies. You must give us enough information about these records so that we can request them from the person or agency who has them. It's still your responsibility to make sure these records are received by us.

**As a participant in the Benefits Delivery at Discharge Program it is your responsibility see that we receive your original service medical records and DD Form 214 within 30 days of your RAD. If we do not receive them within that time we will still try to get them for you, however, your claim will be taken out of the BDD program and will not receive priority handling.**

We will also assist you by providing a medical examination or getting a medical opinion if we decide it's necessary to make a decision on your claim.

## What Must The Evidence Show To Establish Entitlement?

To establish entitlement for service connected compensation benefits, the evidence must show three things:

- ♦ *An injury in military service or a disease that began in or was made worse during military service, or an event in service causing injury or disease.* For certain conditions, you don't have to show that you had an injury or disease in service. These are called "presumptive conditions." These are medical conditions that were first shown after service, not during service. For most of these conditions, the evidence must show that you were diagnosed with the condition within one year after you left military service. Longer time limits apply for certain other medical conditions.
- ♦ *A current physical or mental disability.* This can be shown by medical evidence or other evidence showing you have persistent or recurrent symptoms of disability. We will get any VA medical records or other medical treatment records you tell us about. If necessary, we may schedule a VA examination for you to get this evidence. You may also submit your own statements or statements from other people describing your physical or mental disability symptoms. We will review this evidence to see if it shows you have a current disability or symptoms of a disability.

- ♦ *A relationship between your current disability and an injury, disease, or event in service.* This is usually shown by medical records or medical opinions. We will request this medical evidence for you if you tell us about it. If appropriate, we may also try to get this evidence for you by requesting a medical opinion from a VA doctor, or you can give us a medical opinion from your own doctor.

## **What Can You Do To Help With Your Claim?**

You can help us with your claim by telling us about any additional information or evidence that you want us to try to get for you.

## **When And Where Do You Send The Information Or Evidence?**

Send the information describing additional evidence or the evidence itself to:

Department of Veterans Affairs (ATTN: BDD PROGRAM)  
Health Benefits (Code 0712)  
620 John Paul Jones Circle  
Portsmouth, VA 23708

within 30 days from the date of this letter. Please put your full name and VA file number on the evidence. If we don't receive the information or evidence within that time, we will decide your claim based only on the evidence we have received and any VA examinations or medical opinions.

If the information or evidence is received within one year from the date of this letter, and we decide that you are entitled to VA benefits, we may be able to pay you from the date we received your claim.

If the evidence isn't received within one year from the date of this letter, and we decide that you are entitled to VA benefits, we can only pay you from the date we receive the evidence.

**“I am not aware of any other evidence that should be obtained to substantiate my claim.”**

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Serviceperson's signature and date